

BOARD OF SUPERVISORS

GILA COUNTY, ARIZONA

Date: September 20, 2005

JOSÉ M. SANCHEZ

Chairman

STEVEN L. BESICH

Clerk of the Board

TOMMIE C. MARTIN

Vice-Chairman

By: Marilyn Brewer
Deputy Clerk

SHIRLEY L. DAWSON

Member

Gila County Courthouse
Globe, Arizona

PRESENT: Jose M. Sanchez, Chairman; Tommie C. Martin, Vice-Chairman; Shirley L. Dawson, Member; Steven L. Besich, County Manager/Clerk; Marian Sheppard, Chief Deputy Clerk; and, Bryan Chambers, 2nd Chief Deputy County Attorney.

The Gila County Board of Supervisors met in Regular Session at 10:00 a.m. this date. Bill Hyer led the Pledge of Allegiance, and Father Jay Luczak of Our Lady of the Blessed Sacrament Church delivered the Invocation.

Anita Escobedo, Clerk of the Superior Court, requested the approval of a Professional Printing Services Agreement between the Clerk of the Superior Court and Multi Business Systems (MBS) whereby the Superior Court will outsource its jury questionnaires to Multi Business Systems. Ms. Escobedo stated that because of mandated statutes within the last several years, there is an increase of additional tasks required of her office regarding the processing of juries. An example given was that the statutes now provide for one-day, one-term service requiring the Clerk's Office to send out additional questionnaires, which is going to require additional personnel. MBS will process the questionnaires at 62 cents per questionnaire which would take one employee 3-4 days per month to process. MBS also guarantees a reduction in bad addresses as currently 40-50% of the questionnaires are returned. Upon

motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved the Professional Printing Services Agreement with Multi Business Systems.

Chairman Sanchez requested the adoption of Proclamation No. 05-04 proclaiming September 26, 2005, as National Family Day – A Day to Eat Dinner with Your Children in Gila County. Chairman Sanchez asked Jacque Griffin, Assistant County Manager/County Librarian, to read aloud the Proclamation. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously adopted Proclamation 05-04. Vice-Chairman Martin requested the Proclamation be posted on the website. **(A copy of the Proclamation is permanently on file in the Board of Supervisors' Office.)**

Chairman Sanchez requested the adoption of Resolution No. 05-09-10 for the Method of Distribution (MOD) funding formula as recommended by the Management Committee of the Central Arizona Association of Governments (CAAG) for the distribution of CDBG (Community Development Block Grant) funds. Chairman Sanchez stated that he is the Gila County representative on the CAAG Regional Council, and David Fletcher, Health & Community Services Division Director, is the representative for the CAAG Management Committee that makes recommendations to the Regional Council. CAAG is the pass through agency for the CDBG federal funds which are important to the cities, towns and counties. He stated that historically the MOD formula provided for an equal distribution of funds to every entity regardless of population. Last year Gila County received \$172,000, which was used for housing rehabilitation. Chairman Sanchez stated that there is a recommendation to change the MOD formula, which he opposes, but he will vote at the Regional Council meeting on September 28, 2005, based on the recommendation of the Board of Supervisors. He then called on Mr. Fletcher to explain the recommended changes. Mr. Fletcher stated that at one time Pinal County was looking to become its own entitlement, which means that since Gila County represents 20% of the population and Pinal County represents 80%, of the total

\$2.5 million, Pinal County would receive \$2 million and Gila County would receive \$500,000. This did not happen as Pinal County was not successful in getting the other municipalities to agree. Then Pinal County wanted the MOD to be based on population, but because there were a greater number of small municipalities opposed, that recommendation was also not successful. A vote for equal distribution did not pass as well, so continued negotiations were held to arrive at the fairest method based on reality. The current recommendation will give a guaranteed base amount of \$140,000 to each entity, and then 10% will be allocated for low to moderate income populations. Under this MOD formula Gila County will receive \$162,000, a loss of \$8,000 from last year. The exact amount of the funds is not known at this time until the MOD formula is set; then the Department of Economic Security will state the exact amount in December. If any adjustments are necessary, they will be made in the 'low to moderate' population or 10% of the funding. Mr. Fletcher stated that if Pinal County had been successful in becoming its own entitlement, all entities would then have received \$87,000. Chairman Sanchez stated that the larger counties and municipalities have additional resources, which puts them at a distinct advantage. He stated that most of the municipalities within Gila County will lose funds based on the recommended MOD formula. Mr. Fletcher stated that in order for municipalities to pull out of this system and become their own entitlement, it would take a minimum of 50,000 in population. A few entities such as Apache Junction, Coolidge and Maricopa will be at 50,000 in population within the next 5 years. For a county to become its own entitlement, there must be a population of 250,000. Under the proposed MOD formula, other entities across the state will lose funding, but Pinal County will have an increase of funds in the amount of \$64,000. Vice-Chairman Martin inquired as to the length of time this formula remains in place. Mr. Fletcher advised that the formula is renegotiated and voted on every year. Mr. Besich stated, *"This all boils down to whether you are an entitlement county/city versus receiving your funding as a pass through from HUD (U. S. Department of Housing*

and Urban Development) to the State Department of Housing, which handles CDBG funds, and then it's distributed out on an Arizona formula, versus the City of Phoenix/Maricopa County for their entitlements who get their funding directly from HUD." Supervisor Dawson inquired whether the low income category includes the Native American populations of those counties. Mr. Fletcher believes it does. Mr. Besich stated that the tribal nations receive money like entitlement communities and deal directly with HUD. Mr. Besich stated that tribal members living off the reservation are eligible to participate in county and city programs. Chairman Sanchez stated that the item on the agenda is in support of the MOD formula funding as recommended by the Management Council; however, he is not in favor and wants to express his displeasure at the people who continue to take funding away from small communities. He wants the Board to be aware of this fact so that responsible decisions can be made. Vice-Chairman Martin made the motion to not adopt Resolution No. 05-09-10. Upon the motion being seconded by Supervisor Dawson, the Board unanimously voted to not adopt Resolution No. 05-09-10.

At this time, Mr. Besich requested permission for Mr. Chambers to address the Board. Mr. Chambers stated that in an effort to ensure that the Board strictly complies with the Open Meeting Law, he wanted to bring up the fact that there was an email sent to Supervisor Dawson in reference to the next agenda item. He stated that Supervisor Dawson did not request the email, and what needed to be disclosed was that the email contained a statement that the Chairman and Vice-Chairman of the Board thought the purchase of the Arizona Public Service building was a reasonable buy. Mr. Chambers stated there was no indication that either the Chairman or Vice-Chairman had requested that the email be sent to Supervisor Dawson or that the Chairman and Vice-Chairman had discussed this matter themselves, but in order to avoid the fact that the email was forwarded to Supervisor Dawson, and possibly be considered a meeting outside of the Open Meeting Law, he wanted to disclose the facts. Mr. Besich stated that he had sent the email to Supervisor Dawson.

Mr. Besich stated, *“I have always operated on the same premise that every Supervisor should receive the same information; no secrets from one Supervisor to another, no surprises and mutual respect for all three members’ opinions on issues especially when they involve money or the purchase of assets. I was trying to help the Sheriff. What I was looking for was some thoughts on whether to go out and negotiate a deal.”* Mr. Besich apologized to the Board and Mr. Chambers for *“committing the sin of sharing too much information.”*

Steve Stratton, Public Works Division Director, presented an update on the potential purchase by Gila County of the Arizona Public Service (APS) Company property located at 1992 North Highway 88, Globe, Arizona, the current location of the Gila County Sheriff’s Posse Search and Rescue Organization. He stated that in a long-term working relationship with APS, the Sheriff’s Office has been renting this building for 4 years at the rate of \$10 per year, and in return the County has given APS easements. APS is now interested in selling the building at the appraised value of \$85,000, which is on .688 acres. Mr. Stratton stated he countered with an offer of \$65,000 and then read a letter from Nancy Luty of the APS Real Estate Department, verifying the County’s offer of \$65,000 for .635 acres and the building. However, the APS Board had concerns of a possible need for the impound yard at the rear of the property in the future because of having had problems in the past where they sold land and then needed to purchase more land at a later time. Mr. Stratton gave a PowerPoint presentation showing the property with the APS facility and the impound yard at the rear. Mr. Stratton stated that Bill Marshall, local APS Manager, has now proposed that Gila County purchase the building for \$45,000 and then lease the impound yard free of charge for a period of 5 years, with the condition that the County crack seal and seal coat the impound yard. Mr. Stratton stated the work could be done for less than \$5,000. After this 5-year period, if the County does not use the impound area, it will be released back to APS. If APS does not need the impound yard for expansion of its facility, the County would then renegotiate with APS for a fee or maintenance

costs. Tom Melcher, Chief Deputy Sheriff, stated that the facility is also used by the Sheriff's Reserve Posse, the 911 youth group, and the Gila County Narcotics Task Force. The impound yard is currently being used by the Sheriff's Office for the storage of vehicles, equipment, and vehicles collected as part of the Task Force's efforts until they are sold or put to other use. Vice-Chairman Martin inquired if the County is going to have to give APS access to the impound yard. Mr. Stratton stated that it will be shared access. Mr. Stratton stated that APS wants to select the escrow agent; however, he requested that the Board grant him permission to select the escrow agent should APS elect not to do so. Supervisor Dawson made the motion that the Board direct Mr. Stratton to proceed with APS and, if necessary, to select an escrow agent. Upon the motion being seconded by Vice-Chairman Martin, the Board unanimously approved the motion as noted.

Mr. Stratton requested the adoption of Resolution No. 05-09-09 establishing a 20-foot, smoke-free zone at all public entrances in all facilities owned and/or operated by Gila County. Supervisor Dawson stated that she had received complaints about people having to walk through smoke when entering the Courthouse. Mr. Stratton stated that various alternatives were discussed, and there were problems with some areas having to be made ADA compliant, which would be very costly. He stated this Resolution would establish smoking areas 20' from all public entrances, which would not include those areas having the keyless doors such as the breezeway downstairs, the porch off of the Supervisors' offices, and the side doors of the Engineering building, which are not public entrances. Public entrances would only be those areas having doors where any citizen could enter the Courthouse. Chairman Sanchez stated that no one has ever complained to him about this type of situation and inquired how this area will be identified. Mr. Stratton stated that signs will be placed by each public entrance with receptacles at the 20-foot areas. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously adopted Resolution No. 05-09-09.

(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)

Mr. Stratton requested the ratification of the Chairman's signature on a Special Project Agreement between the Public Works Division and the U.S.D.A. (United States Department of Agriculture), Forest Service, Tonto National Forest, on Forest Development Road Cooperative Agreement No. 05-RO-11031200-001 to perform road maintenance on FDR 440 not to exceed \$15,000. He stated that this is the Camp Geronimo Road, and the Forest Service had contacted the County about some needed maintenance work on the road. Mr. Stratton stated that due to the new federal fiscal year approaching on October 1, 2005, the Forest Service needed the Agreement signed before then, and that is why he initially signed the Agreement. He stated this is an Addendum to the Road Maintenance Agreement. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously approved the Forest Development Road Cooperative Agreement No. 05-RO-11031200-001.

Mr. Stratton requested the approval to advertise Call for Bids No. 032505-1, a sealed bid sale for the equipment that is with the operations of Solid Waste Transfer Stations located at Roosevelt, Tonto Basin and Gisela. Mr. Stratton stated that 9 months ago he brought to the Board a request to declare the transfer stations as surplus property to be sold. There were some legal issues which have now been addressed and Mr. Chambers has now approved the documents. This bid is for 3 of the 4 remaining transfer stations and will be sold as a package with a minimum bid of \$25,800. Mr. Stratton stated that with the inclusion of the following agenda item (sale of the transfer station in Young), the annual savings to the County will be \$94,616. He advised that 6 temporary employees will be laid off, and one 16 rolloff truck will be retained by the County for various activities such as cleanup. He then presented the Board with a PowerPoint presentation of the transfer stations. Mr. Stratton stated that if the Board approves the request, he will have Sharon

Radanovich, Solid Waste Manager, notify all commercial haulers utilizing the landfill, so they have the opportunity to bid, as well as advertising in the local newspapers. Chairman Sanchez inquired if these transfer stations are located on Forest Service property. Mr. Stratton replied in the affirmative and stated that for these three transfer stations, the County will hold onto the Special Use Permits and require the new owners to reimburse the County for the cost of the permits which would be \$2,770.79 per year. He stated that by maintaining the permits for at least 2 years, the County will have the ability to oversee the property and make sure the owner/provider is complying with all requirements and that the fees are paid. Mr. Stratton stated that the County also has some liability with the landfills there. Mr. Stratton stated that when the transfer stations are sold, he will be coming back to the Board to request a decrease in fees at the Buckhead and Russell Gulch landfills because these landfills have been subsidizing the costs of these transfer stations. Mr. Besich inquired what would happen if no bids are received for the transfer stations. Mr. Stratton stated that the County will have to continue to operate them, but he believes there are two interested bidders for this package and one for the Young package. Vice-Chairman Martin inquired if they aren't sold could the Board then close them. Mr. Stratton stated that would be the Board's decision. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously authorized advertising Call for Bids No. 032505-1 for the sale of the Roosevelt, Tonto Basin and Gisela Solid Waste Transfer Stations.

Mr. Stratton requested approval to advertise Call for Bids No. 032505-2, a sealed bid sale for the equipment that is with the operations of Solid Waste Transfer Stations located in Young. He stated this is the same as the previous agenda item except that the minimum bid requirement is \$8,600 and the Forest Service Special Use Permit fees will be \$995.75 per year. Vice-Chairman Martin inquired if the agreement includes the requirement for the owner to operate the transfer station and maintain the same prices for at least one year. Mr. Stratton replied that there is the option for the owner to add a 15%

increase for a fuel surcharge for all the transfer stations. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously authorized advertising Call for Bids No. 032505-2.

Jacque Griffin requested authorization of the Chairman's signature on various documents accepting "Building A New Generation of Readers Initiative," a Library Services and Technology Act Grant, awarded by the Arizona State Library, Archives and Public Records to the Gila County Library District in the amount of approximately \$8,000, \$1,000 for each library in the County. She stated that there are no matching requirements for this Grant. Ms. Griffin stated this was not a competitive Grant, but was on a 'first come, first serve' basis with a deadline, and that is why the Grant was already submitted prior to Board approval. She then explained the background on this Grant. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously authorized the Chairman's signature on various documents accepting the "Building A New Generation of Readers Initiative" Grant.

Ms. Griffin requested authorization of the Chairman's signature on various documents accepting "Gates Staying Connected" Grant awarded by the Arizona State Library, Archives and Public Records to the Gila County Library District in the amount of \$7,211.66. She stated that this was not a competitive Grant and the funds will be distributed based on population. She then explained the background on this Grant. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved the "Gates Staying Connected" Grant in the amount of \$7,211.66.

At 11:33 Chairman Sanchez called for a brief recess.

At 11:41, Chairman Sanchez reconvened the meeting.

Steve Besich, County Manager/Clerk, presented a request by the Gila County Championship Rodeo Committee to use the Exhibit Hall and Rodeo Arena at the Fairgrounds for the Gila County Rodeo to be held on April 15-17, 2006, with a fee waiver. He stated this has been a standard request for the past few years. Upon motion by Vice-Chairman Martin, seconded by

Supervisor Dawson, the Board unanimously approved the request, with a waiver of the fees.

Mr. Besich presented a request by the Gila County Championship Rodeo Queen Committee to use the Exhibit Hall and Rodeo Arena at the Fairgrounds for the judging of the 2006 Rodeo Queen competition to be held on April 8, 2006, with a fee waiver. He stated this also has been a standard request for the past few years. Upon motion by Supervisor Dawson, seconded by Vice-Chairman Martin, the Board unanimously approved the request, with a waiver of the fees.

Bill Hyer, HIV Program Coordinator, requested authorization to submit a Rural Health Care Services Outreach Grant Application No. HRSA-06-005 by the Gila County Division of Health and Community Services to the U. S. Health Resources and Services Administration in the amount of \$375,000, payable over a period of 3 years, for the expansion of the County's current infection disease control services. He stated that this Grant Application is designed to increase the County's ability to provide education, testing and treatment for residents who may have contracted infectious diseases including Hepatitis C. Mr. Hyer stated that two groups will be targeted, those with no health insurance and the youth of the community for prevention education. There is no matching requirement. Upon motion by Vice-Chairman Martin, seconded by Supervisor Dawson, the Board unanimously authorized submission of the Rural Health Care Services Outreach Grant Application No. HRSA-06-005.

Upon motion by Vice-Chairman Martin, seconded by Chairman Sanchez, the Board approved Consent Agenda items A-I by a 2-0 vote. Supervisor Dawson abstained from voting as she was not able to review the demands in the finance report. The Consent Agenda items approved are as follows:

- A. Adopted Resolution No. 05-09-11 naming three roads, as follows: Minnow Cove in Roosevelt, Horseshoe Way in Pine, and Hermosa Vista in Globe. **(A copy of the Resolution is permanently on file in the Board of Supervisors' Office.)**

- B. Approved a Cooperative Agreement between the Sheriff's Office and the U.S. D.A., Forest Service, Tonto National Forest, for a period of 5 years, and to also approve a FY 2005 Financial and Operating Plan to the Cooperative Agreement between the same entities for the period of October 1, 2004, through September 30, 2005. The dates reflect the federal fiscal year which is October through September.
- C. Approved the reappointments of Peter J. DeNinno and Arthur E. Lloyd as Superior Court Judges Pro Tempore for the period of January 1, 2006, to December 31, 2006.
- D. Approved Amendment No. 1 to CDBG Housing Rehabilitation Contract No. 105-04 extending the Contract two months to complete the final two projects. The new close date will be December 12, 2005.
- E. Approved Amendment No. 2 to PY 2005 WIA Title I Contract No. E5706004 between the Health and Community Services Division and the Arizona Department of Economic Security increasing the Contract amount from \$1,101,380 to \$2,108,470. This \$1,007,090 increase represents \$887,045 in dislocated worker funds and \$120,045 in rapid response funds.
- F. Approved the minutes for the September 6, 2005, BOS meeting.
- G. Approved the August 2005 monthly departmental activity reports submitted by the Clerk of the Superior Court, Payson Regional Constable, Payson Regional Justice of the Peace, and Globe Regional Justice of the Peace.
- H. Approved the personnel reports/actions for the week of September 19, 2005, as follows:

Departure from County Service:

- 1. Road Maintenance Worker II – Consolidated Roads – 08-15-05 – Road Fund - Brett Bingham – Hire 03-06-01 – Resigned for other employment
- 2. Clerk – Constituent Services III – 08-05-05 - Constituent Services III Fund - Erin Crick – Summer Youth position
- 3. Clerk – Constituent Services III – 08-24-05 - Constituent Services III Fund - Laura Wurst – Summer Youth position

Temporary Hire to County Service:

4. Laborer – Constituent Services II – 09-19-05 – Constituent Services II
Fund - Viviano Bracamonte

End Probationary Period:

5. Building Safety Assistant I – Community Development – 09-19-05 –
General Fund – Deborah Whisler

Position Review:

6. Change fund code – Probation Aide – Probation o- 09-19-05 – General to
Juvenile Probation Service Fees Fund – Desirae Beraun
7. Change fund code – Teen Court Secretary – 09-19-05 – Diversion
Consequences to Diversion Service Fees Fund – Carol Moya
8. Salary Correction – CNW I – Health Services – 09-01-05 – Health Services
Fund - Lona Kelley – increase to bring salary in line with grade pay
9. Promotion – CNW II to CNW III – Health Services – 09-01-05 – Health
Services Fund – Sylvia Castillo
10. Reclassification – Shop Lube Technician to Lube Technician/Auto
Mechanic – Globe Shop – 09-19-05 – Shop Fund – Arthur Epperson
11. Anniversary Date Increase – 09-05-05 – Michael Snively, Sylvia
Hernandez, Barbara Waddell, Linda Proffitt, Ema Peru, Robert Taylor,
Rebecca Barajas
12. Anniversary Date Increase – 09-19-05 – Forrest Bennett
13. Request leave of absence without pay for personal reasons through
October 1, 2005 – Carolyn Brown – Voter Outreach Assistant – Recorder
14. Appointment – Judge Pro Tem – Globe Justice Court – 07-01-05 –
General Fund - Rebecca Baeza

SHERIFF'S PERSONNEL ACTION ITEMS

Departure from County Service:

15. Detention Officer – Payson S.O. – 09-08-05 – General Fund - Victor
Thompson – Hire 08-08-05 – Resigned – reason unknown

Position Review:

16. Correction – Deputy Sheriff – Globe S.O. – 09-05-05 – General Fund -
Terry Blevins – to correct salary amount on Phase 1 – Sheriff’s Office
Pay Plan

- I. Approved the finance reports/demands/transfers for the week of
September 19, 2005, (separate handout), as follows: \$396,345.03 was
disbursed for County expenses by voucher numbers X147222 through
X147275, X147277, X147279 through X147314, X373014 through
X373067, X373069 through X373075, and X373077 through X373312.
There were no hand-issued warrants.

At this time each Board member and the Chief Administrator were
presented the opportunity to give a brief summary of current events as allowed
by A.R.S. §38-431.02(K).

There being no further business to come before the Board, Chairman
Sanchez adjourned the meeting at 12:04 p.m.

Jose M. Sanchez, Chairman

ATTEST:

Steven L. Besich, County Manager/Clerk